

Attorney Docket No.: 655-014D

Patent

H3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Baker
Serial No.: 09/710,192

Filed: November 10, 2000

For: A DATA STREAMER



X

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X

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

SIR:

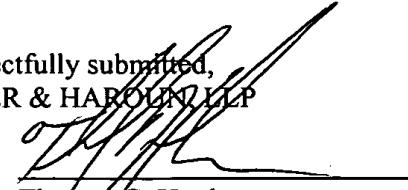
Enclosed with this Response to Notice to File Missing Parts please find two checks in the amount of \$966.00 and \$40.00 (respectively for the filing fee, surcharge and Assignment) along with the copies of eleven Declarations, Assignment, Assignment Recordation Sheet. A copy of Notice to File Missing Parts of Application, is also enclosed.

With respect to the additional fees for the claims, Applicant notes that there are not 44 total claims over 20, nor are there 4 independent claims over 3. According to the Preliminary Amendment that was filed along with the application, there are only 27 claims pending in this divisional application. In addition, there are only three independent claims pending in the application. Therefore, Applicant respectfully maintains that the additional fees due for excess claims is only \$126.00 (seven claims x \$18.00/claim over 20 = \$126.00).

Any additional fees required in connection with this application may be charged

to Deposit Account No. 19-2825.

Respectfully submitted,
SOFER & HAROLIN LLP

By: 

Thomas C. Hughes
Reg. No. 42,674
342 Madison Avenue, Suite 1921
New York, New York 10173
(212) 697-2800

Dated: February 9, 2001



PATENT

Docket No. 655-014d

HB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : David Baker, et al.
Serial No. : 09/710,192 Examiner: Not yet assigned
Filed : November 10, 2000 Group Art Unit: 2181
For : A DATA STREAMER

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

I hereby certify that the attached Response to Notice to File Missing Parts, Notice to File Missing Parts, two checks for \$966.00 and \$40.00, Copy of eleven Signed Declarations, Assignment, Assignment Recordartion Sheet, and Return Postcard along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By: Ester Aronova
Ester Aronova

Date: 2/09/01

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/710,192	11/10/2000	David Baker	655-014d

Sofer & Haroun LLP
342 Madison Avenue Suite 1921
New York, NY 10173



FORMALITIES LETTER



Date Mailed: 01/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1112.
 - \$792 for 44 total claims over 20.
 - \$320 for 4 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Adjustment date: 05/17/2001 To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

01 FC:101 -710.00 0P
02 FC:105 -130.00 0P
03 FC:103 -126.00 0P

- The balance due by applicant is \$ 1952.

A copy of this notice MUST be returned with the reply.

05/17/2001 DBUTLER 000001 192825 09710192

01 FC:101 710.00 0P
02 FC:102 240.00 0P
03 FC:103 16.00 0P
04 FC:105
Customer Service Center

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01 FC:101 710.00 0P
02 FC:105 130.00 0P
03 FC:103 126.00 0P

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE